

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

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CRIMINAL NO. 1:CR-00-105

v.

RONNIE PEPPERS

ORDER

On November 3, 2005, Petitioner Ronnie Peppers filed a Notice of Election withdrawing his October 4, 2005 petition filed pursuant to 28 U.S.C. § 2255. Also on November 3, 2005, Petitioner filed a new petition pursuant to 28 U.S.C. § 2255 and an application to proceed *in forma pauperis*.

Upon consideration thereof, **IT IS ORDERED THAT:**

- 1) The petition filed pursuant to 28 U.S.C. § 2255 on October 4, 2005 is deemed withdrawn and this action will proceed on the petition filed November 3, 2005.
- 2) Petitioner is granted leave to proceed *in forma pauperis*.
- 3) Respondents shall show cause within twenty (20) days of the date of this order why Petitioner should not be granted habeas corpus relief;
- 4) A determination as to whether or not Petitioner should be produced for a hearing will be held in abeyance pending the filing of a response; and
- 5) Petitioner shall, if he so desires, file a reply to the response to the show-cause order within fifteen (15) days of its filing.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: November 4, 2005.